

MINUTES
INDIANA BOARD OF CHIROPRACTIC EXAMINERS
JULY 10, 2008

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Cochran called the meeting to order at 9:00 a.m. in Conference Center Room 5 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-10-1-1.5(d).

Board Members Present:

Charles Cochran, D.C., Vice Chair
John Bernzott, D.C.
Marian Klaes-Lanham, D.C.
David Frischman, D.C.
David Davis, D.C.

Board Members Absent:

David Dyer, D.C., Chairman

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Kristine Yarde, Assistant Director, Professional Licensing Agency
Liz Brown, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

KLAES-LANHAM/DAVIS
Motion carried 5-0-0

III. ADOPTION OF THE MINUTES FROM THE MAY 1, 2008 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as presented, from the May 1, 2008 meeting of the Board.

FRISCHMAN/DAVIS
Motion carried 5-0-0

IV. APPEARANCES

A. PROBATIONARY

- 1. James Dean Cory, D.C., License No. 08001650A**
Administrative Cause No. 2008 IBCE 0001

Dr. Cory appeared before the Board, as requested, regarding his conditional license status. He reported that he is working as a chiropractor but has another job as well until the practice gets built up. He stated things are not as good as he would like

them to be but he will continue working hard and his sobriety is not in jeopardy. Dr. Cory presented the Board with copies of his continuing education for the 2008 renewal and it was approved by the Board. His next appearance is scheduled for January 8, 2009.

2. Horng Yuan Shao, D.C., License No. 08001807A

Administrative Cause No. 2007 IBCE 0002

Dr. Shao appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Shao advised the Board that he will be working at a spa in the Conrad Hotel located in downtown Indianapolis. He has contracted with the hotel to provide acupuncture and chiropractic services. This will be a cash business. He has notified his clients of his new work location and he may also be seeing guests of the hotel. The Board reminded him that he needs to submit proof of completion of the coding seminar he took with Toni Connell. Dr. Shao stated he has completed that seminar and will submit proof to the Board by July 31, 2008 as required by his Order. Dr. Shao's next appearance is scheduled for November 6, 2008.

B. RENEWAL

1. Ryan Lydel Owen, D.C., License No. 08001126A

Dr. Owen appeared before the Board, as requested, regarding his application for renewal of his Indiana chiropractic license. On his application he answered "yes" to a question asking, "Since you last renewed, have you been convicted of or pled guilty to a violation of federal or state law or are criminal charges pending?" Dr. Owen told the Board in April 2007 he pled guilty to an OWI following his arrest in March of 2007. He stated he had no excuses and on that day was dealing with emotional family issues and had too much to drink. He advised he has complied with all the requirements of the court and submitted proof to show he has been discharged from probation. Dr. Owen told the Board he does not drink and drive and drinking is not an issue for him. He explained how this event changed him and the positive things that have come from this situation.

Board Action: A motion was made and seconded to renew Dr. Owen's chiropractic license.

DAVIS/FRISCHMAN
Motion carried 5-0-0

2. Yvonne Octavia O'Neal Allu

Dr. Allu appeared before the Board, as requested, regarding the renewal of her chiropractic license. Dr. Allu's license has been expired since July 1, 2002 and she has successfully passed the law examination. Dr. Allu told the Board she let her license expire while she worked starting up a family business and now wishes to renew her license and to begin the practice of chiropractic in Indianapolis. Dr. Allu has completed the required continuing education hours needed to renew her license.

Board Action: A motion was made and seconded to grant the renewal of Dr. Allu's chiropractic license.

DAVIS/FRISCHMAN
Motion carried 5-0-0

C. APPLICATION

1. Jasper Falconer, D.C.

Dr. Falconer appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Falconer has successfully completed the law examination. Dr. Falconer is a 1997 graduate of Parker College of Chiropractic and has taken and passed National Boards Parts I, II, III, and Physiotherapy. He took and passed a Florida state constructed examination in lieu of NBCE Part IV. Dr. Falconer holds a license in Louisiana, Florida, Missouri, and Illinois.

Board Action: A motion was made and seconded to grant Dr. Falconer a chiropractic license.

FRISCHMAN/DAVIS
Motion carried 5-0-0

2. Patrick Robert Gottfried, D.C.

Dr. Gottfried did not appear as scheduled to take the law examination or make a personal appearance.

3. Kristin Ann Hartwell, D.C.

Dr. Hartwell appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Hartwell has successfully completed the law examination. Dr. Hartwell is a 2008 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Hartwell does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Hartwell a chiropractic license.

DAVIS/FRISCHMAN
Motion carried 5-0-0

4. Derek Michael Kasten, D.C.

Dr. Kasten appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Kasten has successfully completed the law examination. Dr. Kasten is a 2007 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Kasten does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Kasten chiropractic licensure.

DAVIS/FRISCHMAN
Motion carried 5-0-0

5. Steven Andrew Mikulak, D.C.

Dr. Mikulak appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Mikulak did not successfully complete the law examination. Dr. Mikulak is a 2008 graduate of Palmer College of Chiropractic and

has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Mikulak does not hold a license at this time.

Board Action: After Dr. Mikulak's interview with the Board, a motion was made and seconded to grant Dr. Mikulak a chiropractic license upon passing the law exam. Dr. Mikulak will be scheduled to retake the law examination on July 22, 2008 at 10:00 a.m.

COCHRAN/KLAES-LANHAM
Motion carried 5-0-0

6. Brad Gerard Muhlenkamp, D.C.

Dr. Muhlenkamp failed to appear as scheduled to take the law examination or make a personal appearance.

7. Jessica Marie Payne, D.C.

Dr. Payne appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Payne has successfully completed the law examination. Dr. Payne is a 2007 graduate of Parker College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Payne holds a license in New Jersey.

Board Action: A motion was made and seconded to grant Dr. Payne a chiropractic license.

KLAES-LANHAM/BERNZOTT
Motion carried 5-0-0

8. Jeremy Lamont Payne, D.C.

Dr. Payne appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Payne has successfully completed the law examination. Dr. Payne is a 2007 graduate of Parker College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Payne holds a license in Texas and New Jersey.

Board Action: A motion was made and seconded to grant Dr. Payne a chiropractic license.

KLAES-LANHAM/BERNZOTT
Motion carried 5-0-0

9. Christopher Ryan Sherman

Dr. Sherman appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Sherman has successfully completed the law examination. Dr. Sherman is a 2007 graduate of Western States Chiropractic College and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Sherman holds a license in Oregon.

Board Action: A motion was made and seconded to grant Dr. Sherman a chiropractic license.

BERNZOTT/DAVIS
Motion carried 5-0-0

10. Heath Nagel, D.C.

Dr. Nagel appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Nagel has successfully completed the law examination. Dr. Nagel is a 2008 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Nagel does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Nagel a chiropractic license.

BERNZOTT/KLAES-LANHAM
Motion carried 5-0-0

D. REQUEST FOR REINSTATEMENT

V. ADMINISTRATIVE HEARING

There were no administrative hearings scheduled.

VI. SETTLEMENT AGREEMENTS

There were no settlement agreements before the Board.

VII. NOTICE OF PROPOSED DEFAULT

There was no notice of proposed defaults before the Board.

VIII. OLD/NEW BUSINESS

A. Ms. Vaught informed the Board that the license renewal was just completed on July 1, 2008 and 86% of practitioners renewed online. She advised there will be some personal appearances scheduled for the next meeting for any other positive responses.

B. Ms. Vaught informed the Board of the new building security measures that will be taken at the Indiana Government Center South. Everyone will need to enter the Indiana Government Center South building through the 302 West Washington Street entrance. You will need to go through the security measures in order to be admitted to the building

C. Ms. Vaught asked the Board a question posed from a practitioner in an email. The question concerned specific procedures and how they are to be handled by staff. The Board advised Ms. Vaught to inform him that they cannot provide an official interpretation of the law beyond how it is currently written and to seek advice from an attorney.

IX. DISCUSSION

There were no items for discussion.

X. APPLICATION REVIEW

A. Endorsement Applications

There were no endorsement applications to review.

B. Examination Applications

There were no examination applications to review.

C. Temporary Permits

There were no temporary permits to review

D. Professional Corporation Applications

There were no Professional Corporation applications to review

XI. PROBATIONARY REPORT

There were no probationary reports given.

XII. CONTINUING EDUCATION

There was no continuing education to review.

XIII. REPORTS

A. Indiana State Chiropractic Association

Pat McGuffey informed the Board that the ISCA Fall Conference will be held October 31 to November 2, 2008. She also mentioned that a newsletter is about to be released and the ISCA Golf Outing will be held September 23, 2008. She advised they are currently working on the 2009 Spring and Fall Conferences.

B. International Chiropractic Association of Indiana

There was no report given by ICAI.

C. Consumer Complaints

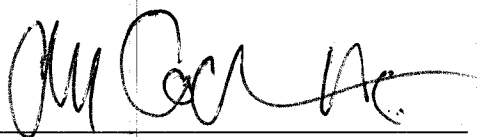
Dr. Bernzott did not have a report.

D. Continuing Education

There was no report given on continuing education.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 11:00 a.m.



Charles Cochran, D.C. - Vice Chairman

11-6-08

Date